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Chair

The Honourable Robert Nault

Standing Committee on Foreign Affairs and International Development

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● (1530)

[*English*]

The Chair (Hon. Robert Nault (Kenora, Lib.)): Colleagues, I call this meeting to order.

Pursuant to Standing Order 108(2), this is our study of the provision of assistance to Canadians in difficulty abroad through consular affairs.

As was requested, we asked the Office of the Auditor General of Canada and Michael Ferguson to make a presentation to us on his report. With him is Carol McCalla.

It says "Principal". Is that the right title for your name?

Ms. Carol McCalla (Principal, Office of the Auditor General): Yes, it is.

The Chair: You'll have to explain to me what that means.

Without further ado, I'll turn it over to the Auditor General for his opening comments, and then we'll go to questions and answers.

The floor is yours.

Mr. Michael Ferguson (Auditor General of Canada, Office of the Auditor General): Thank you.

[*Translation*]

Mr. Chair, thank you for this opportunity to discuss our report on consular services to Canadians abroad.

Joining me at the table is Carol McCalla, who was responsible for the audit.

This audit examined how Global Affairs Canada responded to requests for consular assistance from Canadians travelling or living abroad.

Canadians requested things like help during an international crisis such as a natural disaster, new travel documents to replace lost or stolen passports, or assistance because they had been arrested or detained abroad.

We found that Global Affairs Canada was able to deploy staff quickly to help Canadians during a crisis in a foreign country, and that it updated its online travel advisories as crises evolved. We also found that the department was able to issue urgent travel documents quickly, through its missions abroad.

[*English*]

However, we found that in about two-thirds of the cases we examined involving a Canadian arrested or detained abroad, consular officers hadn't contacted the detained Canadian within 24 hours of being notified, as required by the department. Consular officers were able to contact most of these individuals within a month, but some were never contacted. When a consular officer did contact a Canadian arrested or detained abroad, it was usually by email or telephone, and not in person. In-person contact is important for assessing the well-being of individuals and determining how much help they need. Significantly, we found that Global Affairs Canada took too long to assess allegations of the possible mistreatment or torture of Canadians detained abroad.

In 2004, Justice Dennis O'Connor investigated the actions of Canadian officials in relation to the arrest and detention of Maher Arar. In his report, Justice O'Connor recommended that Global Affairs Canada train its staff to identify signs of torture and mistreatment and to inform the minister quickly of those cases.

[*Translation*]

We found that, more than a decade later, Global Affairs Canada's approach to cases of arrest and detention was still not sufficient. The department provided its consular officers with only general training on how to conduct prison visits and how to identify signs that torture or mistreatment had occurred. Also, we found that in one case, the department took seven months to inform the minister about the likely torture of a detained Canadian.

These gaps are critical for Canadians in distress. Global Affairs Canada must ensure that its consular officers are properly prepared and supported to help Canadians arrested or detained abroad.

● (1535)

[*English*]

When we looked at the level of service provided by missions abroad, we found inconsistent performance. For example, four of the 10 highest-volume missions didn't meet their performance targets for the timely delivery of regular passports. Also, Global Affairs Canada didn't allocate its resources according to expected workloads at its missions to ensure an effective and consistent level of service. Finally, we found that Global Affairs Canada didn't track the performance of most of its consular services because of poor data quality. This lack of tracking made it difficult for the department to know whether it was deploying its staff in a way that best delivered the services the government had promised to Canadians travelling or living abroad.

We made seven recommendations, and Global Affairs Canada agreed with all of them.

Mr. Chair, this concludes my opening remarks. We would be pleased to answer any questions the committee may have.

Thank you.

The Chair: Thank you very much, Mr. Ferguson.

Go ahead, Mr. Aboultaif, please.

Mr. Ziad Aboultaif (Edmonton Manning, CPC): Thank you very much.

Thanks for coming today to appear before the committee.

I have a report here from the Auditor General showing that general assistance was about 34,000 cases, and citizenship applications were 24,577. Usually we look at the majority of the cases versus the ones that cause the most headaches. If we were to address the ones that are causing us...to give more attention to consular services, and more resources, if that can be the correct term, how do you suggest we handle that to make sure, as I said, that the cases that give us the most headaches, which are very minimal in number, are addressed properly without having bad consequences?

Mr. Michael Ferguson: Thank you, Mr. Chair.

I think there are a few aspects to that. Number one, as we said, is understanding the volume of transactions at each mission, and then having a way of making sure that the resources available are assigned to deal with those. Some of the cases that cause the most problems, of course, are the cases of people arrested or detained abroad. Again, I think what we found here was that the staff of the Canadian missions received general training about how to deal with those people, but they didn't deal with all of the details. They didn't get training on all of the details of how they should conduct prison visits and how they should be able to identify signs of torture or mistreatment.

There was another thing in terms of general services that we mentioned in the report. I can't remember the exact number, but there were over 50 different types of services that Global Affairs Canada offers to people from the missions, but they were only tracking their performance on, I think, three or four of them, which is not very many. Unless they know whether they are meeting the service standards in all of the things they say they offer to Canadians, they don't know the best way to allocate those resources.

I think it's very much about understanding the services, where there's a shortfall, where they need to do better, and matching that up with the resources they have.

Mr. Ziad Aboultaif: We know that the world around us is changing almost on a weekly basis as a result of a lot of new circumstances occurring. Our relations with the outside world are always changing, and I think that really puts our citizens, when they travel abroad, in a very difficult position, and it puts our government and also our system in a difficult position. Do you think we need to give a new, fresh look to how we handle all these operations in order to prevent any future problems that could arise at a time when the world is changing very quickly around us?

Mr. Michael Ferguson: I think it's very important for Global Affairs to understand the demand on their services. What services are being demanded? Where are those services being demanded, and how can they can meet them? I think one of the things that we also indicate in the report is that the move from the five-year passport to the 10-year passport will cause, at least over a period of time, a decrease in the revenue being collected. That may indicate that there will be a significant difference between the revenue collected that is supposed to go towards consular services and the cost of providing those consular services.

I think it's very much, again, back to the department to really understand what level of service they are saying they are going to offer. How are they doing on that now? Where they aren't providing those services to the level that they said they should be providing them, can they then reallocate resources? If they can't reallocate resources, then how do they bridge that gap between the services they said they will offer and the resources they have available to offer them?

● (1540)

The Chair: Thank you.

[*Translation*]

Please go ahead, Ms. Laverdière.

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Thank you very much, Mr. Chair.

Thank you for your presentation today, Mr. Ferguson.

I am especially concerned about Canadians who are arrested or detained abroad. There seem to be a number of problems in this regard. First, in two thirds of cases, these individuals are not contacted within 24 hours. They are often contacted by email only, and not in person. I think it would be very difficult to assess potential torture or mistreatment, for example, without meeting the individual in person. This relates to the lack of ongoing training of foreign service officers.

What is the problem? I consider this a fairly serious matter. I am amazed that Global Affairs Canada does not provide that training and does not address prison visits. What is the problem?

Could you go back to your recommendations in this regard please?

Mr. Michael Ferguson: First, you gave a good overview of the problem. There are indeed problems with initial contact, that is, the way detained persons are contacted, and as to the training of officers in the department.

We made some recommendations.

In paragraph 52, we made the following recommendation:

> Global Affairs Canada should strengthen its quality control process to ensure its consular officers contact and offer to help Canadians who have been arrested or detained, with a focus on those who may be at greater risk because of who or where they are. As well, consular officers should receive dedicated, cyclical training on arrest and detention cases throughout their careers. Such training should include how to conduct prison visits and provide tools for detecting incidents of torture, abuse, or mistreatment.

It is really a question of complying with departmental policies and standards and providing training to officers throughout their careers.

Ms. Hélène Laverdière: In cases where torture or mistreatment are detected, you said that, in one case, it had taken up to seven months to inform the minister—I don't know who the minister was at that time.

As my colleagues know, I worked at Foreign Affairs myself. As I recall, it takes an average of 47 days to inform the minister, which seems very long to me. I know a memo has to be approved, but 47 days or up to seven months is a very long time.

How can you explain this? I would be shocked if this were due to a lack of interest. Are there administrative holdups?

● (1545)

Mr. Michael Ferguson: It is hard to explain. Perhaps employees from the department could explain it better.

We did find that, in those cases, officers from the department had indeed communicated with the persons directly affected when there were signs of torture. They contacted those persons in a timely manner, but it took them a long time to assess the whole situation and then to inform the minister of it. On the whole, I do not think it is acceptable to take such a long time for the whole process. There were certainly good practices at the start of the process, but there were also gaps in the subsequent steps.

It is very important for the department to assess these situations in a timely manner and to officially inform the minister within a reasonable period of time.

[*English*]

The Chair: Mr. Wrzesnewskyj is next, please.

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Thank you, Chair.

Good afternoon, Mr. Ferguson and Ms. McCalla.

This was a very substantive audit you performed, almost a two-year-long audit, so I would like to get into some detail.

You studied our department's response during hurricanes Irma and Maria. How many Canadians were impacted, were caught in those hurricanes? I don't need an exact number, but how many thousands?

Ms. Carol McCalla: We didn't...we have a number of requests for assistance that they responded to—

Mr. Borys Wrzesnewskyj: Would that be information you didn't look into, or is that information that isn't being tracked by the department?

We know that in every hurricane season there will be Canadians caught in those same circumstances. It's an annual season. That's why I'm trying to get my head around how many Canadians we can expect in this hurricane season, for instance, to be caught in those sorts of circumstances.

Mr. Michael Ferguson: We certainly didn't put that type of information in the report. I believe we did indicate that the department received, I believe, 5,000 requests for information. I'm just trying to find that—

Mr. Borys Wrzesnewskyj: Perhaps we could forward that information to the committee afterwards.

Mr. Michael Ferguson: —and they responded very quickly to the requests they did get.

Mr. Borys Wrzesnewskyj: That gets me to the second question. Do we have an analysis? What was the response time for Canadians, for instance, in Puerto Rico?

Ms. Carol McCalla: For the 5,000 requests for assistance by telephone or email that Global Affairs received, they tracked that they responded to them within an average of two minutes. That was a very fast response time to those inquiries.

Mr. Borys Wrzesnewskyj: That's a communicated response. What about the response in removing Canadians? Do we have standards?

We know Canadians love the Caribbean, love Florida. Do we have standards so that should there be a devastating category 4 or 5 hurricane, we are prepared to remove 2,000 or 5,000 or 10,000 Canadians, depending on the circumstances, within 48 hours if there's no potable water, if there are no emergency services, etc.? Does the department have those sorts of standards prepared and ready for those circumstances?

Mr. Michael Ferguson: I will start, and then Ms. McCalla can answer about standards.

In paragraph 19 of our report, we particularly indicate that during Irma and Maria, which we say damaged 16 countries and territories —and we don't have the number of Canadians affected—the Emergency Watch and Response Centre added more than 200 staff members and sustained 24-hour operations for at least eight days during each crisis.

Then we also say that during those events, Global Affairs Canada deployed expert teams to affected areas within 48 hours when needed, although I guess in terms of the Caribbean hurricane season, it actually deployed eight employees over the course of the emergencies, and they all arrived within 72 hours.

In terms of their response, they seemed to have responded both to the people getting in touch with the department and then also by putting people on the ground.

I will ask Ms. McCalla if we know of any particular standards they've set.

● (1550)

Ms. Carol McCalla: In their 52 standards they list on their website, there isn't evacuation. They do not regularly evacuate people in trouble zones. What they do is inform them that trouble is coming, and they will offer information to affected Canadians on how they get in touch with different travel providers. It is not a service that Canada provides, but it was expected by many Canadians. That was published in the news. Many Canadians did expect Global Affairs to offer that service.

Mr. Borys Wrzesnewskyj: To follow up on that, we know this is going to happen every summer. Do we pre-emptively have agreements in place with Caribbean countries in case we need our military cargo planes to come in, etc., as a consequence of these storm events? These are all friendly countries. We know that in every one of those Caribbean islands there will be Canadians who will be impacted. Is that something you would recommend?

Ms. Carol McCalla: We didn't see that Global Affairs had any of those agreements in place. When there is an emergency like a hurricane that affects Canadians, and depending on the scale of the emergency, it's a whole-of-government response that may involve DND or the reserves in helping Canadians. In the emergencies we examined, many government departments were involved in assisting.

Mr. Borys Wrzesnewskyj: Following up on the line of questioning of Madame Laverdière, I found it a little problematic that the minister, in cases that have been assessed as cases of torture, typically would not be informed for a month to a month and a half.

Do you believe there should be a recommendation that suggested that the minister, in cases that have been assessed to be torture cases, be informed within 72 hours?

Ms. Carol McCalla: Global Affairs does not have a time standard. That was an issue we had in conducting the audit. Justice O'Connor's recommendation was to promptly inform, but there has been no time standard such as the 72 hours that has been set.

In our view, taking more than a month to inform the minister on cases of a Canadian who has likely been tortured or mistreated does not meet the intent of Justice O'Connor's recommendation.

The Chair: Thank you. I will go to Madame Vandenbeld, please.

Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.): Thank you very much for being here.

I'd like to follow up on the variance that you found, particularly in the cases of people who are detained. One of the things your report says is that there wasn't enough evidence in the file to be able to explain why, in some cases, there were consular visits fairly quickly and in other cases there weren't.

What do you think accounts for that variance between cases?

Ms. Carol McCalla: The provision of assistance to Canadians detained abroad is a discretionary service. There's the service standard of 24 hours, and then, depending on the region where the person is detained, there's ongoing contact at regular intervals, with more frequent contact required when the region is judged to have harsher conditions.

As well, if a person is particularly vulnerable, the policy allows for more frequent contact. We expected that sort of assessment to be done and documented on the file, particularly for vulnerable cases. In our opinion, that can only be done in those cases in person. For us it was very important that this contact be made in person and that an assessment of the person's vulnerability be made so that the assessment can direct the provision of services, whether those be over health concerns or other vulnerabilities that the person may have.

We did not find that this was documented on the file. We also didn't see the required level of oversight, the quality control to ensure that it was done.

Ms. Anita Vandenbeld: As you've just said, one of the things you identified about the in-person meetings was that there wasn't enough training to be able see the signs of somebody being mistreated. Even if they were in-person meetings, you found that many of the consular officials might not be able to identify whether that person was being mistreated. To be able to look at those signs seems to be something that could be easily rectified through training.

● (1555)

Ms. Carol McCalla: Absolutely, and that was a recommendation from Justice O'Connor. This was a key issue that was raised in that inquiry, that the consular staff were not trained. Hence the recommendation that they do be trained. We looked at the level of training that was provided, and it is.... They do bring in experts in mistreatment and torture to give an overview, but what we also heard from the staff is that they do want to have a better understanding of what to look for and how to identify it.

These are very serious issues, and the staff themselves identified that they would like to have more training in that area.

Ms. Anita Vandenbeld: With regard to workloads, it was interesting to me when I was looking at it that the offices that have the most cases, that are the busiest, were often the ones that—if I'm reading it correctly—were able to provide the assistance more quickly than some of the other offices. Am I reading this issue of workload correctly?

Ms. Carol McCalla: We found that we couldn't find any link between the level of workload and the staffing of different consular offices. We found issues in the level of contact in offices that were well staffed and also in offices that weren't very well staffed. It very much depended, in our view, on the discretion of the consular officer involved.

Ms. Anita Vandenbeld: One of the things you identified was the lack of data—

Ms. Carol McCalla: Yes.

Ms. Anita Vandenbeld: What kind of data is missing?

Ms. Carol McCalla: Every time a Canadian contacts the mission to request assistance, the mission is required to open up a case file. They did open up the case file, but we didn't find that the documentation within the case file, in many cases, was sufficient for us to assess whether or not the required contacts or the required services were being offered.

Ms. Anita Vandenbeld: Why do you think that would be? Is that because they're too busy to do the documentation, or is it just a training issue? How would we rectify that?

Ms. Carol McCalla: There was a high variation. It wasn't documented, and, in our view, if it's not documented, it didn't occur.

Ms. Anita Vandenbeld: Did you find any good examples or best practices that could be shared?

Ms. Carol McCalla: Yes, we found many good cases. I found where I would want to be arrested and detained and where not. There were many good cases of consular officers going above and beyond in providing assistance to Canadians.

Ms. Anita Vandenbeld: I know this would have been outside the scope of your audit, but did you look at what other countries are providing and compare what Canada is doing with some of the other countries, such as European countries or the U.S.?

Are we doing better, worse? Did you do a comparison?

Ms. Carol McCalla: The consular services that Canada offers are based on the Vienna convention. These are pretty standard consular services across like-minded countries. The 24-hour contact is standard across many European countries, and with the U.S. as well.

Ms. Anita Vandenbeld: We obviously are not reaching that 24-hour standard in, I think you said, half the cases.

Are other countries achieving that standard, or is there a variance there?

Ms. Carol McCalla: We didn't look into how Canada compares with the other countries.

Ms. Anita Vandenbeld: Thank you.

The Chair: Mr. Sidhu is next, please.

Mr. Jati Sidhu (Mission—Matsqui—Fraser Canyon, Lib.): Thank you for your presentation today.

My colleagues have covered quite a bit of ground on the response time. It was said that it was done in two minutes, but I have a different picture. In the Caribbean islands, in the case of students studying abroad, they were not in touch with the students for a good 24 hours or 48 hours. Evacuation was a major concern.

Do you recommend that our Canadian missions abroad should come up with a plan? According to the students, Americans were picking up people left, right, and centre, with helicopters and other resources, but Canadians were left until everything was restored, and then they would come. There was no timeline on it.

I had calls in the middle of the night. They said, "What are you doing for us?" People showed up at my doorstep the next day. I said, "What's wrong?" He said, "My daughter is dying, and you're sleeping." I said, "What do you want me to do?"

With climate change, we can expect more disasters. Do we have a contingency plan for our missions abroad to tackle all of those?

● (1600)

Mr. Michael Ferguson: That's an issue of government policy and whether the government wants to offer that type of service.

What we've said is that the department needs to make sure it communicates as well as possible to Canadians who are travelling or living abroad about what types of services they can expect. I think any time one of these situations happens, people are going to expect a lot from their government.

As Ms. McCalla said earlier, there were lots of reports of people who expected that the Canadian government would have evacuated them using charter aircraft. That's not a service the department promises to people.

It comes down to what level of service Canada is prepared to commit to for these types of situations, and then they need to communicate it. Even then, I suspect there will always be people who are not satisfied with the level of service when they're caught in these types of situations.

Mr. Jati Sidhu: Of course.

Would you encourage mandatory registration through travel agents, online bookings, so we know where Canadians are? Do you see this in the pipeline going forward?

Mr. Michael Ferguson: I believe there is already a way for travellers to register with Global Affairs Canada. However, while there may be some motivation for people to register that they are travelling somewhere, they have, I suppose, less motivation to say they've come back. Sometimes that type of thing can mean that the department ends up with a list of people they think are travelling who are in fact back in the country.

I believe it's very difficult to get a precise list of who needs to be contacted. The better the information they can get, then the better contact they can make, but I think that no matter what information they collect or how they collect it, they also have to have ways to contact Canadians more generally, because they're never going to have a complete list.

Mr. Jati Sidhu: Some people plan to travel at the last minute and forget to do this. Should we make it mandatory or compulsory before you get on the plane, so that Canadian missions abroad know you're in the country? It would make life easier.

They can't register at the last minute; once they're stuck in the situation, they're done. Then they complain that the mission is not reaching them. They're not registered, though. How do we tackle that?

Mr. Michael Ferguson: Even if people are registered, sometimes in the circumstances it can be very difficult to contact them. If you're dealing with a hurricane or an earthquake, it can still be difficult to contact them.

That's something that Global Affairs would have to tell you: what types of things might be possible, what sources they could use to collect that type of information, and what type of effort would be needed to collect it. It's always difficult to tell people they have to register and to make them actually register. It would be more a matter of whether there are sources of information already collected that Global Affairs could somehow tap into that would help them understand who is travelling.

I don't really know how feasible this is. It's something the department would have to explore.

Mr. Jati Sidhu: Thank you.

The Chair: Go ahead, Mr. O'Toole.

Hon. Erin O'Toole (Durham, CPC): Thank you, Mr. Chair.

Colleagues and guests, I'm sorry I'm a little late. It was a busy day on the Hill. Many Liberal MPs wanted to book some coffee meetings, so I was a bit detained.

Some hon. members: Oh, oh!

Hon. Erin O'Toole: Concerning the O'Connor report that you mentioned, I think promptly informing is critical, because we have explored some of the high-risk and extreme consular cases, and of course mistreatment or torture would be one them.

You mentioned, without reference to a name, another case in which it took seven months to inform the minister, which is obviously not promptly. You didn't mention which case that was. Was it the Khadr case?

● (1605)

Ms. Carol McCalla: I'm not at liberty to mention the name of the case for security and privacy considerations.

Hon. Erin O'Toole: Perhaps, as an undertaking in camera, through the chair we could get more information, outside the public domain, on the case. Certainly the large settlement paid to Mr. Khadr was a result of the Chrétien and the Martin governments' consular visits to Mr. Khadr. I'm wondering whether, had the "promptly informed" standard indicated by Justice O'Connor been met, we would have had to pay a settlement.

I think the committee should be able to find out the details of that case through the proper channels. Can we just undertake to explore that outside this meeting?

Mr. Michael Ferguson: We can go back and explore what sort of information we have, first of all. We need to make sure that the information we give you on it would be accurate and then sort out how to do this. We wouldn't be able to provide the information today.

Hon. Erin O'Toole: Sure. I want to respect all the privacy guidelines for your department, Mr. Ferguson, and to respect the committee, but I'm sure that Parliament can get access to that information. We should learn from these cases, rather than just pay settlements.

The rest of the time I'm going to use to highlight a situation that I would appreciate your looking into. I was startled that 40% of our high-volume consulates aren't meeting their standards. That's a concern.

One thing that presents a challenge that I've been exploring here is that there are one million dual citizens and that dual-citizen cases provide particular challenges in some consulate cases.

Also, what I don't think is being looked at are a number of cases in which a spouse is a non-citizen; that is, someone is travelling as a citizen, and their spouse may be a permanent resident. I have a case in my own riding. The Gopalapillai family were on holiday and had a consular issue in Spain, and because the wife was not a citizen, she was sent away by the Canadian embassy because they would not provide consular support.

I have been in touch with the parliamentary secretary on this case, because when a family in an emergency situation appears at a Canadian consulate or embassy and they will help the Canadians but not the mom, I think we have to fix the system. I said to parliamentary secretary Alghabra that I would be prepared to work on a non-partisan basis, because I think there are going to be many families like this—or maybe he's not the parliamentary secretary anymore.

I'm sorry. Sorry about that.

Ms. Pam Goldsmith-Jones (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): I try so hard.

Hon. Erin O'Toole: I'm sorry about that. It's early day.

Has your office looked at that unique issue? I think we're going to see more of that in Canada, with one party being a citizen and the other.... I can share with you information on this family. I was concerned to see that the mother in distress was essentially sent to another country to get consular assistance because they weren't prepared to support a non-citizen. Have you looked at that at all?

Ms. Carol McCalla: We didn't look particularly at that case. We did see that they have discretion on whether or not they will provide consular assistance to non-Canadians. I believe we did come across one or two cases in our sample in which they did that. It is within their discretion to do that, but certainly the primary intent of these missions is to support Canadian citizens.

Hon. Erin O'Toole: That sounds like a rule book answer, with respect. This was a family that was travelling and had items stolen, including the children's EpiPen. Three of them were Canadian and one was a permanent resident. I think all Canadians and all parliamentarians would expect that family to be helped or for our visa office or our consulate to be in touch and facilitate the mother in this case.

Sometimes the best bright light of your department is finding these shortcomings that have existed under blue and red teams. I'm not trying to politicize this more than I need to, but there will be more and more cases like this one. As we see more dual citizens, as we see immigration levels maintained, we're going to see situations of Canadians and their family members in distress, and one of them will perhaps be awaiting citizenship.

● (1610)

Mr. Michael Ferguson: As Ms. McCalla says, the department has the discretion to provide that service. We indicated that the type of service that might be provided at one mission will be different from the services provided at another mission. I think it's exactly in these types of situations that they need to decide how they are going to treat people, and they should treat them consistently.

If they have the discretion to do it and they have provided those services in some cases, then it raises the question of why they did so in some cases and not in others. I think that is very much an issue the department needs to deal with. What's going to happen in the future in terms of the volume, I don't know, but you would expect that they should be assessing that type of risk so they can say they either do or do not expect—

Hon. Erin O'Toole: I'm going to interrupt you there. I don't want to make it seem that I'm frustrated with you; I'm not. I think you can help highlight these challenges we have. This case has frustrated me for the sake of the family. I feel we let them down.

Do you have any details on how discretion is exercised in these cases? Is it a certain managerial position, or is it at the discretion of a front-line visa or immigration officer?

Ms. Carol McCalla: It's certainly at the discretion of the consular officer handling the case. That's what we examined, and we found: a high degree of variation in how that discretion is exercised.

Hon. Erin O'Toole: Okay. Thank you.

The Chair: It's a good question.

Mr. Saini—

Hon. Erin O'Toole: It took me a year, but finally a good question. I'm curious as to what the answer is.

Mr. Raj Saini (Kitchener Centre, Lib.): Thank you.

I'm going to ask some questions regarding your report.

In paragraph 7.30, you wrote that "Global Affairs Canada should review and update advisories for 229 destinations every 18 months. However, we found that it completed only one-third of these mandatory cyclical reviews on schedule."

Was there any reason that the other two-thirds were not done?

Ms. Carol McCalla: They explained to us that they didn't get to them. They have only so many resources and they were not done. They should have been done, but they were not done.

Mr. Raj Saini: I have a follow-up question. I'm sure 18 months may have been the right time when the policy was formulated, but when we look at the global challenges today, do you feel that 18 months is adequate time to do a cyclical review? I know there are travel advisories and updates done if something extreme happens, but do you think 18 months is the right cycle now, or should that time frame be changed?

Mr. Michael Ferguson: That's one of those things that we really wouldn't question. It's up to the department to decide what the right cycle is. They've determined that 18 months is the right cycle, and we found that they weren't able to do even that. Again, I really think the department would be the one that would need to explain why they have chosen the 18 months and whether they review that from time to time to determine whether that's the right time period.

Mr. Raj Saini: The second question I have is regarding your chart.

In Exhibit 7.5, you talk about the amount of cost recovery. I just have one question. You said that there is going to be a shortfall in revenue. Revenue will be $28 million in the fiscal year 2019-20 and $24 million in 2020-21, and then it goes back up to $69 million.

Why is there such a variance in the numbers?

Mr. Michael Ferguson: Again, that's primarily because of what's happening with moving from five-year passports to 10-year passports.

The charge is $25 per passport—

Mr. Raj Saini: Are you anticipating that kind of revenue drop in the next three or four years just because of the 10-year passport?

Mr. Michael Ferguson: Again, this is the data provided by Global Affairs Canada. This graph is illustrative of their estimate.

I'll ask Ms. McCalla to provide the details.

Ms. Carol McCalla: It's primarily because of the 10-year passport. Most Canadians are opting for the 10-year rather than the five-year passport. Without having to renew it as frequently, there is going to be a revenue drop-off, but then you can see that it's going to go back up again.

Mr. Raj Saini: Is there any reason it would go up?

Ms. Carol McCalla: The reason is that they're going to start renewing them again.

Mr. Raj Saini: That's fine.

My final question is this: when you talk about travel advisories to certain countries, does this include some of the expectations that travellers may face if caught under the law, or if they are detained in any way? Does it give an outline of what they can expect if they are detained? Obviously some countries will have a more robust legal system than others.

● (1615)

Ms. Carol McCalla: They do have a booklet. They do have information available online about your rights when detained abroad, and they do caution that conditions are not the same as they are in Canada. Global Affairs' approach to this is to inform the travellers.

Our issue was that they had not examined the best way to reach the vulnerable travellers, nor had they examined their outreach to people who might be travelling to dangerous locations or to the Caribbean during holiday or hurricane season. They need to know how to best reach them and how to best put that information online. The fact that it's online and there's a booklet available to you after 15 clicks may not be the most effective way.

Mr. Raj Saini: Okay.

The Chair: Thank you.

Madame Laverdière, you have the last question.

[*Translation*]

Ms. Hélène Laverdière: Thank you very much, Mr. Chair.

I am struck by something you said. You said it is often left to the discretion of the officer. In your report, you indicated that cases in which there may have been torture and mistreatment had not all been handled the same way, obviously. In the past 10 years in particular, we have heard a lot about this. We have heard that consular cases had not all been handled the same way.

I have two questions in this regard. First, a more general question pertaining to the fact that it is left to the officers' discretion to determine whether services will be provided to someone who is not a Canadian citizen. The second pertains specifically to how cases of torture and mistreatment are handled.

Some people have suggested that there should be a bill of rights for Canadians, setting minimum standards for the type of services a Canadian or other person can expect so that fewer things are left to the discretion of the government or consular services officers.

As to cases of torture and mistreatment, have you noticed any trends in the handling of such cases? Were some cases handled better than others? Are the cases of Canadians handled better than those of persons with dual nationality, or does it depend on the mission?

[*English*]

Sorry for asking two questions at the same time.

[*Translation*]

Mr. Michael Ferguson: I will answer the first question and ask Ms. McCalla to answer the second.

The first question was about a potential bill of rights. It is of course important for the government to be clear about the services offered. Do we need a bill of rights or is there another way of going about this? That is another matter. In any case, the government must be very clear about the services that Canadians can expect.

It also has to be very clear about the services that are left to the discretion of an agency or the department. I cannot speak to that because that is another aspect of government policy. I can say, however, that it is very important for the government to make sure that the same services are offered by all missions. If some discretion is allowed, the government has to make sure that these services are provided fairly to everyone.

● (1620)

[*English*]

I'm going to ask Ms. McCalla to talk about whether there is any difference in the trends.

Ms. Carol McCalla: In the 15 cases we reviewed of mistreatment and torture, we didn't see anything on the consular officer on the ground. We saw that they met as soon as they were alerted. When it came to their attention, they immediately took action. The variance that we saw was in getting the information necessary to make a judgment as to whether or not the claims were credible. That involved the consular officer to a degree.

It was a training issue in some cases, in terms of knowing what to look for and what to report back to the decision-makers on whether or not the case was credible. For those cases, that was our assessment of what we examined and why there was different treatment across the 15 cases.

In the cases of Canadians arrested and detained abroad, our biggest concern was having the assessment of the person's vulnerability in order to decide what services were needed. In such cases, the discretion and judgment of the consular officer are key, and you wouldn't want to lose that. What we didn't see was how that judgment was being exercised and documented in the file, so that it could be overseen as well—so that everyone at the consulate knew, and it wasn't just in the mind of this one consular officer.

The Chair: Thank you very much, Madame Laverdière.

That will be the end of our time with the Auditor General and with Ms. McCalla.

On behalf of the committee, I want to thank you very much for the report of the Auditor General. This is a big issue. Canadians should be seized with it, because it's clear that we are travelling more and more in larger numbers around the world. It's extremely important for the Government of Canada and Canadians to be assured that we have their backs, so to speak, when they are somewhere else around the world. This was an important start to that discussion, and your study of it helped to take us along that path.

This committee will be making recommendations on the policy side, Mr. Ferguson, because I understand that's an issue that is somewhat difficult for you. I very much appreciate having had the opportunity to speak to you.

We would be very appreciative of more work in this area. It is something that's important to us as Canadians. I don't know anyone anymore who doesn't travel abroad at some point in the year, it seems. That's extremely important for us. Thank you very much.

Colleagues, I'm going to take a five-minute break. Then we're going to go in camera.

Thank you very much.

[*Proceedings continue in camera*]

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